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SUMMARY RECORD OF THE 5th MEETING

Chairman: Mr. KUKAN (Slovakia)

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 107: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/48/18, 76, 81, 118, 291, 423, 438, 439)

AGENDA ITEM 108: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/48/94, 207, 211, 307, 330, 357, 384, 385)

1. Mr. KÄÄRIÄ (Finland), speaking on behalf of the five Nordic countries, congratulated the parties in South Africa on the successful steps they had taken towards democracy and the elimination of apartheid. While the struggle of the people in South Africa had been essential in the dismantling of apartheid, the implementation by the international community of United Nations sanctions had contributed substantially to the process of establishing a non-racial South Africa.

2. The reports of the Special Rapporteurs to the Committee on the Elimination of Racial Discrimination (CERD), describing continued grave violations of human rights and the deteriorating situation in the former Yugoslavia, stressed the importance of joint international action to combat such violations. The Nordic countries welcomed the establishment of an international tribunal as a way to bring perpetrators of war crimes to justice.

3. In many parts of the world, including Europe, racial or ethnic intolerance was directly responsible for floods of refugees and other migratory movements which had triggered a resurgence of xenophobia and intolerance towards foreigners and immigrants and was creating conflict in many receiving countries. The Nordic countries welcomed the appointment of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and urged him to work in close cooperation with CERD. The dialogue between Member States and the Committee and reporting procedures should play an important role as a preventive mechanism in sensitizing Governments and peoples to the dangers of such intolerance. The Nordic countries supported the recommendation to establish national institutions to serve as an effective channel for the dissemination of information at the national level in implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. They also supported the amendment calling for the regularization of the financing of CERD.

4. The draft programme of action for the third decade to combat racism and racial discrimination, recommended by the Commission on Human Rights, should take into account new developments and manifestations of racism. The Committee on the Elimination of Racial Discrimination and the Subcommission on the Prevention of Discrimination and Protection of Minorities should play key roles in the implementation of the programme. The World Conference on Human Rights, held in Vienna from 10 to 12 June 1993, at which Governments and NGOs reaffirmed their willingness to work actively against racism was a source of encouragement. The Nordic countries called on all Member States to implement the Vienna Declaration and Programme of Action.

5. Mr. SAHRAOUI (Algeria) said that in Europe and other parts of the world the resurgence of xenophobic violence and hatred had reached alarming proportions. Various social groups, including migrant workers, refugees, asylum seekers, ethnic and religious minorities and indigenous populations had all been targets of racism and racial discrimination. His delegation strongly supported the recent appointment by the Commission on Human Rights of a Special Rapporteur on contemporary forms of racism and its resolution 1993/11 calling upon all Governments to adopt the necessary measures to fight against new forms of racism by urgently applying administrative, civil and penal sanctions against the perpetrators of racist crimes. Unless stringent measures were taken, the organizations and individuals inciting to xenophobic violence and hatred would continue to operate with impunity, increasing the number of victims.

6. Certain activities had not been completed during the Second Decade to Combat Racism and Racial Discrimination owing to a lack of financial resources. Although the problem had partially been solved by the Committee for the Elimination of Racial Discrimination (CERD) by drawing on resources from the regular budget of the United Nations, the remaining coordinating activities would continue to suffer from the same lack of funds, an aspect which should be taken into consideration when future programme budgets were discussed.

7. His delegation welcomed international action within the framework of the third decade that included an attack on new manifestations of racism, intolerance and xenophobia. The various seminars planned on those topics constituted a promising platform for dissemination of information and an exchange of views. His delegation further supported a study of the economic factors that helped to perpetuate racism and racial discrimination and the suggestion that the Secretary-General present an annual report on the global situation with regard to racism and racial discrimination, xenophobia and ethnic intolerance, based on precise information regarding activities to combat racism, as it would facilitate coordination and evaluation activities.

8. The democratic transition in South Africa remained fragile. The South African Government, in close collaboration with the organizations that represented the majority of the South African people, had to exercise its full responsibilities as a Government to put an end to the violence and terrorism used by forces opposed to a united, non-racial and democratic South Africa. In that connection, his delegation wholeheartedly supported the specific measures provided in the draft programme of action for the third decade aimed at bringing about a peaceful transition and the complete elimination of apartheid in South Africa.

9. As had recently been reaffirmed at the World Conference on Human Rights in Vienna, colonial domination or other forms of foreign occupation constituted a violation of the right of peoples to self-determination and was tantamount to a violation of fundamental human rights. His country welcomed the recent agreement between the PLO and Israel and sincerely hoped it would be the first stage in a comprehensive settlement of the Middle East conflict. It was the responsibility of the international community to continue to be fully committed to bringing about peace in that part of the world.

10. While some regional conflicts appeared to be close to a lasting settlement, others unfortunately, such as the conflict in Western Sahara, were not. His

(Mr. Sahraoui, Algeria)

delegation hoped that renewed dialogue between the parties involved in that conflict and the holding of a free referendum under the best possible conditions of impartiality would make it possible for the people of the Western Sahara to exercise its inalienable right to self-determination and would create the foundation for stability in the region.

11. Mr. OGOURTSOV (Belarus) said that in his country there were virtually no radical or extremist groups seeking to spread ideas based on racial superiority or intolerance. Belarus would continue to do everything to maintain that unique balance based on religious and ethnic tolerance, which ensured stability and lasting democratic reforms. He noted with satisfaction that the Committee on the Elimination of Racial Discrimination was prepared to broaden its sphere of activities in order to keep abreast with the times. It was also gratifying to note that the report of the Secretary-General on the draft programme of action for the third decade to combat racism and racial discrimination (1993-2003) in document A/48/423 indicated that it would be adapted to the changes that had occurred recently. He hoped that the current session of the General Assembly would be marked by constructive cooperation aimed at making use of the unprecedented opportunities that had arisen for solving long-standing world problems.

12. Mr. FERNANDEZ-PALACIOS (Cuba) said that, while apartheid was crumbling in South Africa, racial discrimination was experiencing a resurgence in other parts of the world in the form of xenophobic violence, ultra-right political agitation and neo-nazism, and claimed among its victims migrant workers and their families, minority groups and refugees. In light of this phenomenon, his delegation strongly supported the launching of the third decade against racism and racial discrimination, and praised the recent decision of the Commission on Human Rights to appoint a Special Rapporteur to deal with contemporary forms of racism.

13. On the other hand, notwithstanding their legal validity, certain fundamental principles clearly established in General Assembly resolutions, among them, resolution 1514 (XV) and resolution 2625 (XXV), concerning the exercise of national sovereignty and the right to self-determination without outside interference, were jeopardized by such ideas as "limited sovereignty" and "the right to intervene", which clearly contravened international law. In the view of Cuba, the most pressing task before the Organization was the defence of the principles of the Charter, and in particular, the right of self-determination of peoples.

14. The colonial status of the neighbouring island of Puerto Rico was, for example, a subject of profound concern. Cuba demanded that Puerto Rico should be permitted to take its place among the free nations of the hemisphere. His delegation also continued to protect the illegal occupation of Guantánamo by the United States against the express wishes of the Cuban people and their Government.

15. His delegation was encouraged, on the other hand, by the signing of the Declaration of Principles between Israel and the Palestine Liberation Organization, which bode well for the establishment of a lasting peace in the

(Mr. Fernandez-Palacios, Cuba)

Middle East. Finally, Cuba welcomed the valuable contributions of the Special Rapporteur regarding the use of mercenaries.

16. Ms. JAHAN (Bangladesh) said that the people of Bangladesh joined the world in expressing their solidarity with the people of South Africa in the transition to a united, non-racial and democratic society. Although institutionalized racism would, it was to be hoped, be relegated to history, the memory of its horrors should prevent a repetition. She also applauded the landmark signing of the Declaration of Principles between the Palestine Liberation Organization and Israel.

17. Unfortunately, however, the broad picture was not as encouraging. There had been a resurgence of racism in the form of xenophobia and ultra-nationalism, which manifested itself in racially motivated attacks against ethnic minorities and immigrant populations. The atrocities perpetrated by Serbian forces on innocent men, women and children in Bosnia and Herzegovina, and in particular on Muslims, had surpassed the worst instances of genocide in history. The architects of ethnic cleansing had not been punished; they had instead found their place at the negotiating table. The ethnic cleansing in Bosnia and Herzegovina, which would also qualify as "religious cleansing", must not be permitted to take root as another form of institutionalized racism. The international community must lift the arms embargo, restoring to the Bosnian Muslims their fundamental right to self-defence.

18. The United Nations must act as a catalyst to bring about progressive transformations on the world scene, and as a deterrent to forces inimical to those changes. South Africa would need United Nations assistance in the process of healing and reconstruction: social and economic opportunities must be provided to overcome the cumulative deprivation of the black majority; efforts must also be made to inculcate the principles of racial tolerance and peaceful coexistence in the peoples of that country. Palestine too would require various kinds of support during its transition to full political participation.

19. Her delegation welcomed the decision of the Commission on Human Rights to appoint a Special Rapporteur to deal with contemporary forms of racism. While global compilation of national legislation against racism and the development of a model legislative text were significant advances, racism could not be uprooted by legislation alone. The draft programme for the third decade against racism rightly focused on education and the dissemination of information as the means to rid the human mind of racial prejudice.

20. Mr. JIN Yongjian (China) said that racism, racial discrimination and the apartheid system were all serious violations of fundamental human rights. Recent instances in several developed countries of xenophobia, discrimination against aliens and neo-nazism were cause for grave concern and should be accorded top priority on the agenda of the United Nations. The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, had rightly proclaimed that the elimination of all forms of racism must be a priority task for the international community. China supported the Secretary-General's draft programme of action for a third decade against racism and racial discrimination and called on the United Nations to allocate adequate funding for that crucial project.

(Mr. Jin Yongjian, China)

21. Recent developments suggested that South Africa would soon be a unified, democratic and non-racial State. In the view of China, only the persistence of the international community had made that victory possible. The Chinese Government was dedicated to combating racism and racial discrimination in all its forms.

22. Mrs. Da SILVA-SUNIAGA (Venezuela), speaking also on behalf of Colombia and Mexico, expressed the hope that, in spite of the increased political violence in South Africa, the agreements reached would lead to the speedy establishment of a democratic government with guarantees for the rights of the entire population. The call by Nelson Mandela, the President of the African National Congress, for the lifting of the economic sanctions imposed against South Africa should be heeded.

23. The draft programme of action for the third decade to combat racism and racial discrimination should, as stated in paragraph 19 of the Vienna Declaration, encourage United Nations organs and agencies to strengthen their efforts to implement the programme of action.

24. Much remained to be done to eliminate discrimination, racism, intolerance and xenophobia, and international cooperation was essential. The programme of action for the third decade should take account of new developments and its title should be "Decade to combat racism, racial discrimination and ethnic intolerance". The draft programme was in keeping with the desired objectives to be achieved through decisive and responsible action by Governments and intensified efforts by United Nations bodies.

25. She noted with satisfaction that the Committee on the Elimination of Racial Discrimination sought to adapt itself to the new realities in the world. It was also gratifying to note the decision by the Commission on Human Rights to appoint a Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance and it was to be hoped that his work would help to eliminate those practices. Colombia, Mexico and Venezuela reiterated their condemnation of mass violations of human rights, including ethnic cleansing, which was unacceptable and must be condemned. Lastly, she reaffirmed the commitment of those countries to the principle of self-determination of peoples, as laid down in General Assembly resolution 1514 (XV), and their support for the efforts of the Organization to promote the exercise of the right to self-determination of peoples throughout the world.

26. Mr. BAHADIAN (Brazil) said that in spite of the encouraging changes in South Africa, the world community must continue to monitor the situation there closely in order to ensure the establishment of a truly multiracial democracy. Brazil, which took great pride in the multiracial composition of its population, abhorred all forms of discrimination on the basis of race, religion, and national or ethnic background. His Government reaffirmed its strong support for the third decade to combat racism and racial discrimination and stressed the need to identify the reasons for the shortcomings in the first two previous decades and devise new national and international measures for the future.

(Mr. Bahadian, Brazil)

27. The world community could not overlook the emergence of new forms of racism and xenophobia. Events taking place in the territory of the former Yugoslavia were especially appalling and should be condemned in the strongest terms. The situation seemed to underscore the need to change the way in which various United Nations bodies dealt with the issues of racism and discrimination. His Government strongly supported the appointment by the Commission on Human Rights of a Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance. Governments must display wisdom and courage in dealing with human rights problems, including racism and racial discrimination, and take prompt action to resolve them. Brazil, which had consistently supported the full implementation of the right to self-determination, warmly welcomed the recent Palestinian-Israeli agreement. Self-determination meant providing the opportunity for a given people to govern itself without the threat of foreign intervention. The denial of the right to self-determination was a violation of human rights. At the current session, delegations should concentrate on determining ways to enhance the realization of that right.

The meeting rose at 11.55 a.m.